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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

IN RE: MERCEDES-BENZ  
EMISSIONS LITIGATION

Civil Action No. 2:16-0881 (KM) (ESK)

**NOTICE OF MOTION**

To: All Counsel by ECF

COUNSEL:

PLEASE TAKE NOTICE that at such date and time as the Court shall determine, Plaintiffs, by counsel, shall move under Rule 23 of the Federal Rules of Civil Procedure, for entry of the proposed preliminary approval Order that, among other things, will, (1) preliminarily approve the proposed Settlement; (2) certify the proposed Settlement Class, appoint Plaintiffs as Class representatives, and appoint Class Counsel for purposes of the Settlement; (3) approve the form and manner of giving notice of the proposed Settlement to the Class Members; and (4) schedule a hearing to consider the fairness of the Settlement.

PLEASE TAKE FURTHER NOTICE that, in support of the motion, the

undersigned intends to rely on the accompanying Memorandum of Law and supporting declarations of Steve W. Berman and Jennifer M. Keough.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is attached.

Dated: September 14, 2020

Respectfully submitted,

CARELLA BYRNE CECCHI  
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By /s/ James E. Cecchi  
JAMES E. CECCHI

By /s/ Steve W. Berman  
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